Appl. No. 09/774,964   APP 1300
Amdt. Dated October 27, 2004
Reply to Office action of April 29, 2004

REMARKS/ARGUMENTS

Claims 1-16 have been rejected under 35 U.S.C. §103(a) as being obvious in view of United States Patent Publication No. 2002/01100113 to Wengrovitz, United States Patent Publication No. 2002/0021465 to Moore, Jr. et al and United States Patent No. 6,421,781 to Fox et al.

The primary reference relied upon by the Examiner, Wengrovitz, was filed February 12, 2001. The present application was filed January 31, 2001. The Wengrovitz reference cannot be relied upon by the Examiner as prior art under 35 U.S.C. § 102(e)/§ 103 unless the Examiner relies upon a teaching that can claim an effective filing date based on the provisional patent application filed on August 10, 2000 by Wengrovitz. Applicant has reviewed the provisional patent application and FIG. 1A cited by the Examiner does not exist in the provisional application. Applicant therefore avers that because the Wengrovitz provisional patent application does not contain the teachings relied upon by the Examiner the current rejection is without merit.

Furthermore, applicant does not believe that the additional references overcome the deficiency alleged by the Examiner to exist in Wengrovitz even if it were to be considered prior art.

The three references are in different areas of endeavor. Wengrovitz (which is not prior art) is related to the use of SIP with a private branch exchange (PBX). The Moore et al. reference is related to a gateway at the home which is between a hybrid fiber coax network and one or more networked home devices. There is no contemplation of the problems or issues associated with using SIP. The Fox et al. references relates to a method of delivering messages from an information server to push-type server through which messages are sent to a plurality of subscribing clients. Again, there is no recognition in this reference of the problems associated with using SIP to control networked appliances. Applicant respectfully submits that the Moore et al. and Fox et al. references do not contain any teaching or suggestion that would encourage one to combine the teachings and apply them to the field of SIP based control of networked appliances.

Applicant believes that none of the references alone or in combination teach or suggest a SIP based system for communications between a client and at least one networked appliance, having a user agent server (UAS) processor connected to said appliance so as to relay commands to said appliance and receive status information from said appliance; a user agent client (UAC)
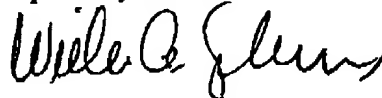
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processor having the capacity to send SIP command messages intended for said appliance to said UAS processor over a communications network and to receive over the communications network status information messages about said appliance from said UAS processor, said UAS processor translating received SIP commands into commands recognized by the appliance and translating information provided by said appliance into SIP status messages for transmission over the communications network to said UAC processor; and a network appliance system proxy server (Proxy) located between the UAC and the UAS for receiving and conveying information between them   wherein the UAS processor does use address mapping capability for handling at least some of the messages to and from the appliances; and wherein Proxy has address mapping capability to direct said at least some messages through the appropriate UAS processor to the appliance to which they are addressed.

Applicant submits that claims 1 through 16 are allowable. Applicant hereby requests reconsideration of claims 1-16, in view of the above discussion, and allowance thereof is respectfully requested.

Respectfully submitted,

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